

Tony Evers
Governor



State of Wisconsin
Department of Health Services

DIVISION OF PUBLIC HEALTH

1 WEST WILSON STREET
PO BOX 2659
MADISON WI 53701-2659

Telephone: 608-266-1251
Fax: 608-267-2832
TTY: 711 or 800-947-3529

Andrea Palm
Secretary

February 19, 2019

Kim Webber, Manager
Wisconsin Poison Center
PO Box 1997, Suite C660
Milwaukee, WI 53201

Dear Ms. Webber,

Wisconsin Department of Health Services (DHS), Division of Public Health/Bureau of Community Health Promotion, is pleased to submit a letter of support for the Wisconsin Poison Center (WPC) on behalf of the Center's efforts to achieve American Association of Poison Control Centers (AAPCC) Regional Certification.

The WPC is the sole poison information service operating in Wisconsin. As required under Wis. Stat. § 146.57, the WPC provides 24-hour, 365 days-a-year service to all Wisconsin residents and health care providers (via a federal toll-free number). Since 2001, the WPC has served as the state's sole poison center, providing service to all 72 counties across Wisconsin.

The Division of Public Health contracts with the WPC to provide statewide poison control services utilizing appropriated general purpose revenue. There is no out-of-state poison center serving areas of Wisconsin.

The WPC has worked closely with numerous programs in DHS to provide public and professional education and outreach programs, as well as public health exposure surveillance throughout the state.

If you require further information, please contact Melissa Heinz, Contract Administrator 608-266-1451, melissa.heinz@dhs.wisconsin.gov.

Sincerely,

A handwritten signature in black ink that reads "Jennifer C. Ullsvik".

Jennifer C. Ullsvik
Director, Bureau of Community Health Promotion
Division of Public Health

Tony Evers
Governor



OFFICE OF LEGAL COUNSEL

1 WEST WILSON STREET
PO BOX 7850
MADISON WI 53707-7850

Andrea Palm
Secretary

State of Wisconsin
Department of Health Services

Telephone: 608-266-8428
Fax: 608-267-1434
TTY: 711 or 800-947-3529

February 25, 2019

Kim Webber, BA, RN, CNN
Wisconsin Poison Center
CCC Suite 660
PO Box 1997
Milwaukee, WI 53201-1997

RE: Poison Center Services and HIPAA

Dear Ms. Webber,

It has come to the Department's attention that some Wisconsin providers may have concerns about the applicability of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) as it relates to providing health care information to the Wisconsin Poison Center. Such providers are to be assured that, under HIPAA; the federal government recognizes poison centers as health care providers performing a treatment activity to an individual. The preamble to the Privacy Rule specifically mentions poison control centers, stating:

We note that poison control centers are health care providers for purposes of this rule. We consider the counseling and follow-up consultation provided by poison control centers with individual providers regarding patient outcomes to be treatment. Therefore, poison control centers and other health care providers can share protected health information about the treatment of an individual without a business associate contract¹.

For the purposes of HIPAA, the Wisconsin Poison Center is a health care provider delivering treatment. As such, "A covered entity [such as Wisconsin healthcare facilities or other providers] may disclose protected health information for treatment activities of a health care provider²." In fact, to do so is in the best interest of poisoned or potentially poisoned Wisconsin patients.

We hope this information addresses any concerns that you may have.

Sincerely,

A handwritten signature in cursive script that reads 'Kathy Johnson'.

Kathy Johnson
Privacy Officer

¹ Comments section, 45 CFR 164.501, December 28, 2000 Federal Register pp 82625-82626
<http://www.aspe.hhs.gov/ADMNSIMP/fina/PvcFR04.pdf>.

² 45 CFR §164.506(c)(2)